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In re Application of OHTA et al :
U.S. Application No.: 10/527,728 :
PCT Application No.: PCT/JP03/11586 :
Int. Filing Date: 10 September 2003 : DECISION
Priority Date Claimed: 13 September 2002 :
Attorney Docket No.: 74606-010100 :
For: IMPACT ABSORBING MECHANISM OF :
WALKING ROBOT :

This is in response to applicant's "Petition Under 37 C.F.R. § 1.182" filed 24 April 2006.

BACKGROUND

On 10 September 2003, applicant filed international application PCT/JP03/11586, which claimed priority of an earlier Japan application filed 13 September 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 25 March 2004. The thirty-month period for paying the basic national fee in the United States expired on 14 March 2005 (13 March 2005 was a Sunday).

On 14 March 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 22 August 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 20 October 2005, applicant filed an executed declaration.

On 31 January 2006, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916), which identified a discrepancy in the name of the first inventor.

On 09 February 2006, applicant filed a response.

On 28 February 2006, this Office mailed a communication which identified discrepancies with respect to the names of two of the inventors.

On 24 April 2006, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

A review of the application file reveals that the given name of the first inventor is listed in the international application as "Naruhiko" while the given name is listed in the declaration as "Shigehiko". Furthermore, the given name of the third inventor is listed in the international application as "Takamasa" while the given name is listed in the declaration as "Takakatsu". The present petition is accompanied by the requisite petition fee of \$400.00 as well as the requisite statements setting forth the specific circumstances as to how and when the error was made and discovered and that the mistake was an inadvertent error without deceptive intent.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 10 September 2003, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 20 October 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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